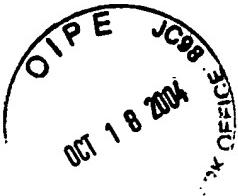




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October 18, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit To Be Assigned

Re: U.S. Utility Patent Application
Application No.: 10/773,440; Filed: February 9, 2004
For: **Method to Detect Prostate Cancer in a Sample**
Inventors: **FRADET et al.**
Our Ref: 1619.0180001/JAG/CMB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 listing sixty-seven (67) cited documents;
3. Copies of thirty-two (32) of the cited documents; and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
October 18, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Cynthia M. Bouchez
Attorney for Applicants
Registration No. 47,438

JAG/CMB:krh
Enclosures

319172v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Fradet *et al.*
Appl. No.: 10/773,440
Filed: February 9, 2004
For: **Method to Detect Prostate
Cancer in a Sample**

Confirmation No.: *To be assigned*
Art Unit: *To be assigned*
Examiner: *To be assigned*
Atty. Docket: 1619.0180001/JAG/CMB

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **AA1-AK1, AA2-AK2, AA3-AK3 and AA4-AB4** are not provided in accordance with the U.S. Patent and Trademark Office OG notice of August 5, 2003, which states “[t]he Office hereby waives the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003.” A copy of each other document is provided.

Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior

Fradet *et al.*
Appl. No. 10/773,440

art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

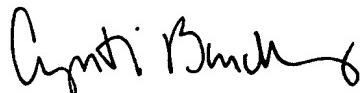
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Form PTO-1449
(Rev.7-80)U.S. Department of Commerce
Patent & Trademark OfficeATTY.DOCKET NO.
1619.0180001SERIAL NO.
10/773,440**LIST OF REFERENCES CITED BY APPLICANT**
(Use several sheets if necessary)APPLICANT
Fradet et al.FILING DATE
February 9, 2004

GROUP

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	AA	4,581,333	Apr. 8/86	Kourilsky et al.			
	AB	4,683,195	Jul. 28/87	Mullis et al.			
	AC	4,683,202	Jul. 28/87	Mullis			
	AD	4,786,600	Nov. 22/88	Kramer et al.			
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	AL	EP 0 320 308	Mar. 11/93	EP				
	AM	EP 0 747 706	June 8/03	EP				
	AN	WO93/13121	July 8/93	WO				
	AO	WO95/32305	Nov. 30/95	WO				
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	AA	5,202,231	Apr. 13/93	Drmanac et al.			
	AB	5,219,989	June 15/93	Sonenberg et al.			
	AC	5,283,174	Feb. 1/94	Arnold, Jr. et al.			
	AD	5,312,728	May 17/94	Lizardi et al.			
	AE	5,399,491	Mar. 21/95	Kacian et al.			
	AF	5,422,252	June 6/95	Walker et al.			
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	AH	5,547,842	Aug. 20/96	Hogan et al.			
	AI	5,554,516	Sept. 10/96	Kacian et al.			
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							Yes	No
	AL	WO01/23550	Apr. 5/01	WO				
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	AA	5,656,207	Aug. 12/97	Woodhead et al.			
	AB	5,658,737	Aug. 19/97	Nelson et al.			
	AC	5,674,682	Oct. 7/97	Croce et al.			
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	AE	5,861,242	Jan. 19/99	Chee et al.			
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AR	GANDINI et al. 2003, "Is DD3 a New Prostate-specific Gene?", Anticancer Research 23:305-308, Publ. by Depts. Of Exp. Med & Pathology, Univ. La Sapienza, Rome, Italy	
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	AA	6,534,273	Mar. 18/03	Weisburg et al.			
	AB	6,551,778	Apr. 22/03	Harvey et al.			
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AT	WALKER et al., Jan. 1992, "Isothermal in vitro amplification of DNA by a restriction enzyme/DNA polymerase system", Proc. Natl. Acad. Sci. USA 89:392-396

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